

PATENT  
Attorney Docket No.: SCRIP1860-2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Daniel J. Von Seggern                          Art Unit: 1648  
Application No.: 10/808,758                          Examiner: B. P. Blumel  
Filing Date: March 24, 2004                          Conf. No.: 6593  
Title: ADENOVIRUS PARTICLES WITH ENHANCED INFECTIVITY OF  
DENDRITIC CELLS AND PARTICLES WITH DECREASED  
INFECTIVITY OF HEPATOCYTES

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO THE RESTRICTION REQUIREMENT**

Sir:

Responsive to the Restriction Requirement mailed June 4, 2008, Applicants elect, **with traverse**, Group I, Claims 1-28 and 34-40, drawn to an adenovirus particle composition, the nucleic acid which encodes for the particle and a cell that contains the nucleic acid.

Applicants further elect subgroup D adenovirus and adenovirus serotype 37. Applicants submit that claims 1,8, 11, 25, 30, 41 and 44 read on the elected subgroup D. Applicants also elect serotype 5 as the specific subgroup C serotype for the species election. Applicants submit that claims 4, 16, 17 and 45 read on the elected subgroup C.

Applicants traverse the election of the specific effect a modification has on the fiber protein as in claims 5, 6, and 7. However, to be fully responsive to the election of species requirement, Applicants elect heparin sulfate proteoglycan (HSP) interaction. Applicants submit that claims 6, 10, 13, 19, 25, and 47 read on the elected HSP interaction. The election of species is traversed, because a thorough search of the specific elected serotype, serotype 37 of subgroup D adenovirus, will include art relevant to the specific effect a modification has on the fiber protein. The modification effect would have a common virus, serotype 37 of subgroup D adenovirus. Therefore, Applicants submit that search and examination of the modification

In re Application of:

Daniel J. Von Seggern  
Application No.: 10/808,758  
Filed: March 24, 2004  
Page 2 of 2

PATENT

Atty Docket No.: SCRIP1860-2

effects of one serotype of adenovirus does not pose a serious burden to the Examiner.  
Reconsideration of the election requirement is respectfully requested.

No fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that may be due in connection with the filing of this paper, or credit any overpayment to Deposit Account No. 07-1896, referencing the above-identified docket number.

Respectfully submitted,



Date: July 2, 2008

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